

**ROANNE L. MANN**  
**UNITED STATES MAGISTRATE JUDGE**

**DATE:** October 29, 2021  
**START:** 3:30 p.m.  
**END:** 4:45 p.m.

**DOCKET NO:** 20-cv-4505 (ARR)

**CASE:** Trustees of the Local 7 Tile Industry Welfare Fund, et al. v. Atlantic Exterior Wall Systems, LLC

<input type="checkbox"/> <b>INITIAL CONFERENCE</b>	<input type="checkbox"/> <b>OTHER/CHEEKS HEARING</b>
<input type="checkbox"/> <b>DISCOVERY CONFERENCE</b>	<input type="checkbox"/> <b>FINAL/PRETRIAL CONFERENCE</b>
<input type="checkbox"/> <b>SETTLEMENT CONFERENCE</b>	<input checked="" type="checkbox"/> <b>TELEPHONE CONFERENCE</b>
<input checked="" type="checkbox"/> <b>MOTION HEARING</b>	<input type="checkbox"/> <b>INFANT COMPROMISE HEARING</b>

**PLAINTIFF**

**ATTORNEY**

	John Harras
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**DEFENDANT**

**ATTORNEY**

	Richard Ziskin
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☐ **FACT DISCOVERY TO BE COMPLETED BY** \_\_\_\_\_  
☐ **SETTLEMENT CONFERENCE SCHEDULED FOR** \_\_\_\_\_  
☐ **JOINT PRE-TRIAL ORDER TO BE FILED VIA ECF BY** \_\_\_\_\_  
☐ **PL. TO SERVE DEF. BY:** \_\_\_\_\_ **DEF. TO SERVE PL. BY:** \_\_\_\_\_

**RULINGS:** PLEASE TYPE THE FOLLOWING ON DOCKET SHEET

Arguments heard and rulings made on the record granting plaintiffs' [17] motion to compel. Defendant's objections on relevance grounds are overruled. By November 2, 2021 at noon, defendant must produce its Capital Account Sheet and its QuickBooks Records, including but not limited to, Profit & Loss Statements, Balance Sheets, Job Profitability Summary, and Job Profitability Detail for the period of January 1, 2014 through December 31, 2016. Defendant is permitted to redact the "profit" portions of those documents since plaintiffs seek information regarding "expenses," in order to determine whether certain payments to employees were for "off-the-books" work covered by the applicable CBA. Alternatively, in order to satisfy the Court's deadline, defendant may produce those documents in unredacted form for settlement purposes only by November 2, 2021, and formally produce the documents with redactions shortly thereafter. Defendant shall also produce by that deadline the Employee Expense Reimbursement Account Sheets for 2016 (the only year for which they reportedly exist), which documents were referenced by defendant's outside accountant at his deposition. Further, defendant advised that it would produce union worker receipts that were submitted for reimbursement for 2014-2016.

The parties must file a joint status report by November 5, 2021.